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August 10, 2010

Honorable Cheryl L. Pollak  
United States Magistrate Judge  
U.S. District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: *The Gerffert Company, et al v. James Dean, et al***

Dear Magistrate Judge Pollak:

Both Kevin Shenkman and I are unable to travel to New York to attend the status conference, set for August 11, 2010, in the above-referenced matter. As such, we respectfully request permission to appear telephonically at the status conference on Wednesday, August 11, 2010. At the time of this letter we have not received any objection from the other parties regarding our request to appear telephonically.

Very truly yours,

ZUBER & TAILLIEU LLP

A blue ink signature of Olivier A. Taillieu, written in a cursive style, positioned above the printed name.

Olivier A. Taillieu

OAT/mbs